

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

GERALD ADELMAN,)	
)	
Plaintiff,)	
-v-)	Case No.: <u>08 C 195</u>
)	
ING USA ANNUITY AND LIFE)	Honorable Milton I. Shadur
INSURANCE COMPANY,)	
)	Magistrate Judge Morton Denlow
Defendant.)	

**AGREED MOTION FOR ENLARGEMENT OF TIME TO ANSWER
OR OTHERWISE PLEAD IN RESPONSE TO PLAINTIFF'S COMPLAINT**

COMES NOW Defendant, ING USA ANNUITY AND LIFE INSURANCE COMPANY ("ING"), by and through its attorneys, Thomas B. Keegan and Edward W. Gleason, of the law firm of KEEGAN, LATERZA, LOFGREN & GLEASON, L.L.C., and hereby moves this Court for the entry of an Order granting an additional twenty-nine (29) days (or up to and including February 15, 2008) within which to file its answer or otherwise plead in response to the allegations in Plaintiff's Complaint in the above-captioned matter. In support of this Motion, ING states as follows:

1. Plaintiff, Gerald Adelman, initially filed his Complaint in the Circuit Court of Cook County, Illinois, Chancery Division, on December 10, 2007.
2. A copy of Plaintiff's Summons and Complaint was first served upon the Illinois Director of Insurance on December 14, 2007.
3. Thereafter, on December 18, 2007, the Illinois Director of Insurance sent a copy of the Summons and Complaint to ING in Atlanta, Georgia.
4. On December 26, 2007, ING received a copy of the Summons and Complaint from the Illinois Director of Insurance.

5. On January 9, 2008, ING filed its Notice and Petition for Removal in the United States District Court for the Northern District of Illinois, Eastern Division.

6. The purpose of this Motion is to allow ING sufficient time to secure the necessary information and documentation to appropriately respond to Plaintiff's Complaint.

7. On January 10, 2008, counsel for ING, Thomas B. Keegan, spoke face-to-face with Plaintiff's counsel, David Smolin, and confirmed that Plaintiff's counsel agrees to the requested extension.

8. ING further states that this Motion is not interposed for any inappropriate or improper purpose.

9. Finally, ING states that it reasonably believes that this Court will not be prejudiced in any way by this enlargement of time, and that this enlargement of time will not cause any undue delay.

WHEREFORE, Defendant, ING USA ANNUITY AND LIFE INSURANCE COMPANY respectfully requests that this Court enter an Order granting ING an additional twenty-nine (29) days (or up to and including, February 15, 2008), to answer or otherwise plead in response to Plaintiff's Complaint in this matter.

Dated: January 14, 2008

Respectfully submitted,

**DEFENDANT, ING USA ANNUITY
AND LIFE INSURANCE COMPANY**

By: /s/ Thomas B. Keegan
One of Defendant's Attorneys

Thomas B. Keegan, Esq.
Edward W. Gleason, Esq.
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CERTIFICATE OF SERVICE

I, Thomas B. Keegan, an attorney, certify that I caused a true and accurate copy of the foregoing **AGREED MOTION FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE PLEAD IN RESPONSE TO PLAINTIFF'S COMPLAINT**, to be filed electronically. Notice of this filing was sent to all counsel who are currently on the Court's Electronic Mail Notice List by operation of the Court's Electronic Filing System (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 14th day of January, 2008.

/s/ Thomas B. Keegan